

This instrument prepared by,
or under the direction of,
Alicia Trujillo, Esq., _____
District Chief Counsel
Florida Department of Transportation
1000 NW 111th Avenue, Miami, Florida 33172

Item/Seg. No. : Garrison Bight
Sect/Job No. : 87513-2646
County : Miami-Dade
Managing District: Six
Parcel No. : 5118

QUITCLAIM DEED

THIS INDENTURE, made this _____ day of _____, 2015 by and between the STATE OF FLORIDA by and through the STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, Grantor, whose address is 1000 NW 111th Avenue, Miami, Florida 33172, to the CITY OF KEY WEST, FLORIDA, a municipal corporation, whose address is 3140 Flagler Avenue, Key West, Florida 33041-1409, Grantee.

WITNESSETH

WHEREAS, by Resolution No. 2218, adopted by the City Commission of the City of Key West, Florida, on April 10, 1963, the Grantee conveyed certain lands ("Lands") to the Grantor for the construction of Garrison Bight Causeway (the "Bight"), including roadway, bridge and parking areas under the County Secondary Road Program for the fiscal year of 1963-1964; and

WHEREAS, said construction of the Bight has been completed by the Grantor, and by action of the District Secretary, District Six Florida Department of Transportation on September 17, 2002, pursuant to the provisions of Section 337.25 Florida Statutes, Grantor determined that portions of the Bight are not needed by the Grantor for the construction, operation, and maintenance of a transportation facility; and

WHEREAS, Grantee expressed a need for public parking, public boat ramps, a public dockmaster facility, and a commercial and live-aboard marina for the general public, and other ancillary public purposes, as may be needed, (collectively also known as "the Public Purpose") and by Resolution No. 03-167, adopted by the City Commission of the City of Key West (Grantee) on May 6, 2003, the Grantee has requested that Grantor convey to Grantee portions of the Bight (collectively also known as the "Property" or "Exhibit A") for the Public Purpose described herein; and

WHEREAS, the Grantor, pursuant to the prior action of the District Secretary, District Six Florida Department of Transportation on September 17, 2002, and in accordance with the provisions of Section 337.25, Florida Statutes, has agreed to quitclaim to the Grantee the land hereinafter, without consideration, to be used solely for the Public Purpose; and

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WHEREAS, by Resolution No. _____ of the City Commission of the City of Key West, Monroe County, Florida, passed and adopted on _____, 201____, the foregoing conveyance was approved by the Grantee. A copy of Resolution No. _____ is attached hereto as Exhibit "B".

NOW, THEREFORE, THIS INDENTURE WITNESSETH: That the Grantor does hereby remise, release and quitclaim unto the Grantee, and its successors and assigns, forever, all the right, title and interest of the Grantor, pursuant in all that certain land situate in Monroe County, Florida, viz:

See Exhibit "A" attached hereto and made a part hereof

TO HAVE AND TO HOLD, the said premises and the appurtenances thereof unto Grantee.

REVERTER – The Property herein described is to be used in perpetuity for the Public Purpose herein described. If the property ceases to be used for the above described purposes, all property rights shall revert back to the said Grantor.

RESERVING UNTO GRANTOR and its successors, an undivided three-fourths interest in all the phosphate, minerals and metals that are or may be in, on, or under the said land and an undivided one-half interest in all the petroleum that is or may be in, on, or under said land with the privilege to mine and develop the same on all lands wherein the grantor holds the requisite interest, provided, however, that in no event shall the exercise of Grantor's rights hereunder interfere with Grantee's use of the Property.

THIS CONVEYANCE IS made subject to access control requirements, any unpaid taxes, assessments, liens, reservations, or easements of any kind which may be in place, or encumbrances of any nature whatsoever which the Grantee hereunder and herein assumes.

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IN WITNESS WHEREOF, the State of Florida Department of Transportation has caused these presents to be executed in its name by its proper officers thereunto duly authorized, the day and year first above written.

STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION

By: _____
Gus Pego, P.E.
District Secretary

Witness: _____

Name/Title

Attest: _____
Print Name _____ Exec. Secretary

Witness: _____

Name/Title

Affix Department Seal

State of Florida
County of Miami -Dade

The foregoing instrument was acknowledged before me this _____ day of _____
2015, by Gus Pego, District Secretary for District Six, FDOT, who is personally known to me, or
has produced _____ as identification.

Notary Public in and for the County and State
mentioned above

(Affix Notary Seal)

My Commission Expires _____